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Attorneys for Plaintiffs Carmen Otero
and Abbey Lerman

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CARMEN OTERO and ABBEY
LERMAN, as individuals, and on
behalf of other members of the
general public similarly situated,

Plaintiffs,

v.

ZELTIQ AESTHETICS, INC., a
Delaware corporation; and DOES 1-
10, inclusive,

Defendants.

Case No.: 2:17-cv-3994 DMG (MRWx)

Hon. Dolly M. Gee

**NOTICE OF SETTLEMENT
PURSUANT TO LOCAL
RULE 40-2 AND REQUEST
TO VACATE HEARING ON
PENDING MOTION TO
DISMISS AND RELATED
BRIEFING DEADLINES**

Date: August 24, 2018
Time: 9:30 a.m.

1 Pursuant to Local Rule 40-2, Plaintiffs Carmen Otero and Abbey Lerman
2 (“Plaintiffs”) and Defendant Zeltiq Aesthetics, Inc. (“Defendant,” together with
3 Plaintiffs, the “Parties”) hereby notify the Court that this matter has resolved.

4 The Parties are in the process of formalizing the terms of the settlement
5 into a final written agreement. Plaintiffs expect to file a request for voluntary
6 dismissal of the remaining individual claims with prejudice within thirty (30)
7 days.

8 Accordingly, the Parties respectfully request that the Court vacate the
9 hearing on Defendant’s Motion to Dismiss Third Amended Class Action
10 Complaint currently scheduled for August 24, 2018 and vacate all related
11 briefing deadlines regarding the Motion to Dismiss, pending the voluntary
12 dismissal. A proposed Order is submitted concurrently.

13
14 Dated: August 2, 2018

Capstone Law APC

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16 By: /s/ Jordan Lurie

Jordan L. Lurie
Tarek H. Zohdy
Cody R. Padgett
Trisha K. Monesi

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19 Attorneys for Plaintiffs Carmen Otero
20 and Abbey Lerman

21 Dated: August 2, 2018

HUESTON HENNIGAN LLP

22
23
24 By: /s/ Steven Feldman

Steven N. Feldman
Attorney for Defendant Zeltiq Aesthetics, Inc

CERTIFICATE OF COMPLIANCE WITH C.D. CAL. L.R. 5-4.3.4(a)(2)(i)

I certify that pursuant to C.D. Cal. L.R. 5-4.3.4(a)(2)(i), I have obtained the authorization from the above signatories to file the above-referenced document and that the above signatories concur in the filing's content.

Executed on August 2, 2018.

/s/ Trisha Monesi

Trisha K. Monesi